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TRANSMITTAL FORM

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Application Number	10/705,618
Filing Date	November 10, 2003
First Named Inventor	Lynn E. SPITLER
Art Unit	N/A
Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission: 11	Attorney Docket Number: 204372000902

ENCLOSURES (*Check all that apply*)

- [ ] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment/Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [x] Information Disclosure Statement (3 pages); Form PTO-1449 (7 pages)
- [ ] Certified Copy of Priority Document(s)
- [ ] Response to Missing Parts/ Incomplete Application
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- [ ] Drawing(s)
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Firm or Individual name	MORRISON & FOERSTER LLP Kate H. Murashige - 29,959
Signature	Kate H. Murashige
Date	March 10, 2004

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Dated: March 10, 2004 Signature: Marian L. Christopher (Marian L. Christopher)

sd-188252

PATENT
Docket No. 204372000902

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Marian Christopher

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Lynn E. SPITLER et al.

Serial No.: 10/705,618

Filing Date: November 10, 2003

For: THERAPEUTIC PROPERTIES OF LIPOSOME-ENCAPSULATED IMMUNOMODULATORS

Examiner: Unassigned

Group Art Unit: 1642

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action directed to the related applications Serial Number 09/764,546 filed 17 January 2001, published on 23 January 2003 as Pub. No. 20030017976A1, and Serial Number 09/226,075 filed 6 January 1999, now abandoned; accordingly, copies are not included herewith. This protocol

conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

☐ With the application; accordingly, no fee or separate requirements are required.

☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ A fee is required. A check in the amount of __ is enclosed.
- ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of __ is enclosed.
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Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 204372000902. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 10, 2004

Respectfully submitted,

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Form PTO-1449	Docket Number 204372000902	Application Number 10/705,618
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(Use several sheets if necessary)	Filing Date November 10, 2003	Group Art Unit 1642
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U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	08/30/94	5,342,977	Baschang *et al.*			
	2.	03/05/96	5,496,804	Reed *et al.*			
	3.	10/15/96	5,565,478	Kohn *et al.*			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	4.	06/23/93	EP 0 548 024 A	Europe			

OTHER DOCUMENTS *(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
	5.	Arbibe, L., *et al.*, "*Endotoxin Induces Expression Of Type II Phospholipase A2 In Macrophages During Acute Lung Injury In Guinea Pigs,*" J. IMMUNOL., (1997) 159:391-400
	6.	Arditi, M., *et al.*, "*Lipopolysaccharide Stimulates the Tyrosine Phosphorylation of Mitogen-Activated Protein Kinases p44, p42, and p41 in Vascular Endothelial Cells in a Soluble CD14-Dependent Manner,*" J. IMMUNOL., (1995) 155:3994-4003
	7.	Armitage, R. J. *et al.*, "*IL-15 Has Stimulatory Activity For The Induction Of B Cell Proliferation And Differentiation,*" J. IMMUNOL., (1995) 154:483-490
	8.	Asano, T., *et al.*, "*Liposome-Encapsulated MTP-PE: A Novel Biologic Agent for Cancer Therapy,*" J. IMMUNOTHER., (1993) 14:286-292
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	11.	Cao, S. *et al.*, "*Interleukin 15 Offers Selective Protection From Irinotecan-Induced Intestinal Toxicity In A Preclinical Animal Model,*" CANCER RES., (1998) 58:3270-4

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	12.	Cao, S. *et al.*, "*Interleukin 15 Protects Against Toxicity And Potentiates Antitumor Activity Of 5-Fluorouracil Alone And In Combination With Leucovorin In Rats Bearing Colorectal Cancer,*" CANCER RES., (1998) 58:1695-9
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	18.	Ding, A. H. *et al.*, "*Release Of Reactive Nitrogen Intermediates And Reactive Oxygen Intermediates From Mouse Peritoneal Macrophages,*" J. IMMUNOL., (1988) 141:2407-12
	19.	Ding, A., *et al.*, "*Taxol Shares the Ability of Bacterial Lipopolysaccharide to Induce Tyrosine Phosphorylation of Microtubule-Associated Protein Kinase,*" J. IMMUNOL., (1993) 151(10):5596-5602
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	25.	Dong, Z. *et al.*, "*Organ-Specific Modulation Of Steady-State mdr Gene Expression And Drug Resistance In Murine Colon Cancer Cells,*" J. NATL. CANCER INST., (1994) 86:913-20
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	54.	Killion, J. J. *et al.*, "*Systemic Targeting Of Liposome-Encapsulated Immunomodulators To Macrophages For Treatment Of Cancer Metastasis,*" IMMUNOMETHODS, (1994) 4:273-9
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	56.	Kleinerman, E. S. *et al.*, "*Phase II Study Of Liposomal Muramyl Tripeptide In Osteosarcoma: The Cytokine Cascade And Monocyte Activation Following Administration,*" J. CLIN. ONCOL., (1992) 10(8):1310-16
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	59.	Kozlowski, J.M., *et al.*, *"A Human Melanoma Line Heterogeneous with Respect to Metastatic Capacity in Athymic Nude Mice,"* J. NATL. CANCER INST., (1984) 72(4):913-7
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	61.	Liu, M.K., *et al.*, *"CD14-Dependent Activation of Protein Kinase C and Mitogen-Activated Protein Kinases (p42 and p44) in Human Monocytes Treated with Bacterial Lipopolysaccharide,"* J. IMMUNOL., (1994) 153:2642-2652
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	64.	Manthey, C. L. *et al.*, "*Taxol Increases Steady-State Levels Of Lipopolysaccharide-Inducible Genes And Protein-Tyrosine Phosphorylation In Murine Macrophages,*" J. IMMUNOL., (1992) 149(7):2459-65
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	66.	Murray, J. L. *et al., Phase I Trial Of Liposomal Muramyl Tripeptide Phosphatidylethanolamine In Cancer Patients,"* J. CLIN. ONCOL., (1989) 7(12):1915-1925
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	69.	Nii, A. *et al.*, "*Optimization Of The Liposomes Encapsulating A New Lipopeptide CGP 31362 For Efficient Activation Of Tumoricidal Properties In Monocytes And Macrophages,* J. IMMUNOTHER., (1991) 10:236-46

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	70.	Nii, A., *et al., "The Incubation of Human Blood Monocytes with Tumor Necrosis Factor-α Leads to Lysis of Tumor Necrosis Factor -Sensitive but Not Resistant Tumor Cells,"* LYMPHOKINE RES., (1990) 9(2):113-24
	71.	Novotney, M., *et al., "Protein Kinase C in Tumoricidal Activation of Mouse Macrophage Cell Lines,"* BIOCHEMISTRY, (1991) 30:5597-5604
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	76.	Sanghera, J. S. *et al., "Activation Of Multiple Proline-Directed Kinases By Bacterial Lipopolysaccharide In Murine Macrophages,* J. IMMUNOL., (1996) 156:4457-65
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	80.	Štefanová, I., *et al., "GPI-Anchored Cell-Surface Molecules Complexed to Protein Tyrosine Kinases,"* SCIENCE, (1991) 254:1016-9
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	83.	Talmadge, J.E., *et al., "Cancer Metastasis is Selective or Random Depending on the Parent Tumour Population,"* NATURE, (1982) 297:593-4
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